

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAMONT HAGAN,	:	Civil No. 1:13-CV-2731
	:	
Plaintiff	:	(Magistrate Judge Carlson)
	:	
v.	:	
	:	
QUENTIN DOLPHIN, et al.,	:	
	:	
Defendants	:	

MEMORANDUM ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The plaintiff in this action, Damont Hagan, is an inmate in the custody of the Pennsylvania Department of Corrections, (DOC) currently housed at the State Correctional Institution at Huntingdon. In this case, Hagan has sued five individuals, all of whom are contracted with or employed by the DOC, alleging that the defendants engaged in a conspiracy to modify his health diagnosis and discontinue his prescription medications in order to keep him hidden from certain Department of Justice officials who were intending to tour the facility and interview inmates as part of an investigation.¹ Hagan also alleges that the defendants took these actions to

¹ The remaining defendants in this action include Quentin Dolphin, David Swisher, James Harrington, Robert Marsh, and John Wetzal, the Secretary of the Pennsylvania Department of Corrections.

retaliate against him for filing grievances and other litigation against prison staff. Additionally, Hagan alleges that the defendants prolonged his detention in segregated housing, and exhibited deliberate indifference to his serious medical needs, in violation of the Eighth Amendment.

Hagan initiated this action by filing a complaint on November 11, 2013. (Doc. 1.) On December 10, 2013, the District Court ordered the plaintiff to file an amended complaint by December 30, 2013. (Doc. 8.) Hagan complied with this order, filing an amended complaint on December 26, 2013. (Doc. 9.) Thereafter, the defendants moved to dismiss the amended complaint. (Docs. 20, 22.) In response, Hagan filed a brief opposing the motions (Doc. 26.), but then filed a second amended complaint on June 9, 2014. (Doc. 28.)

The corrections defendants have filed an answer to this second amended complaint, which as answers often do has denied many of Hagan's factual averments and demands strict proof of these matters at trial. (Doc. 56.) Hagan has now filed a motion for sanctions, (Doc.60.), which contends that these denials set forth in the defendants answer are false and sanctionable. (Doc. 60.) For the reasons set forth below, the motion will be denied.

Rule 8 of the Federal Rules of Civil Procedure prescribes the general rules for all pleadings, and permits general denials of the type asserted here by the defendants.

Since the defendants are entitled to generally deny allegations made by a plaintiff and demand proof of those allegations, this form of pleading is appropriate in this case and does not provide grounds for sanctions. Therefore, the plaintiff's motion for sanctions (Doc. 60.), is DENIED.

So ordered this 20th day of March, 2015.

S/Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge